IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 28858 of 2006(I)

PETITIONER:

V.V. MOHANAN, S/O. BALAN,
NADUVILAPURAYIL, KEEZHARA P.O., KANNAPURAM DESOM,
KANNUR DISTRICT.

BY ADV. SRI.C.S.SUNIL

RESPONDENTS:

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1. DISTRICT EXECUTIVE OFFICER,
MOTOR TRANSPORT WORKERS' WELFARE FUND BOARD,
KANNUR.

2. DISTRICT EXECUTIVE OFFICER,
CONSTRUCTION WORKERS' WELFARE FUND BOARD,KANNUR.

3. SPECIAL DEPUTY TAHSILDAR,
REVENUE RECOVERY NO.1, KANNUR.

R1 BY ADV. SRI.PAULSON C.VARGHESE,SC,KMTWF BOARD.
R3 BY GOVT.PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.28858 OF 2006-I & I.A.2450/2007

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Dated this the 2nd day of March, 2007.

JUDGMENT

I.A.2450/2007 is a petition for impleadment. The said application is dismissed.

2. The impugned final determination order was passed on 14-3-2003. The appeal against that has already become time-barred. That order has, thus, become final. The petitioner has no ground to re-open that order without even taking recourse to the statutory remedy that was available to him. Under such circumstances, I repel the challenge against Ext.P3.

3. However, having regard to the totality of the facts and circumstances, it is directed that if the petitioner remits the entire amounts due under Ext.P4 in two equal

instalments payable on or before the 15th of March, 2007 and 29th of March, 2007, the revenue recovery proceedings shall be dropped.

The writ petition is disposed of in the above terms.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-